



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER	FILING DATE	FIRST NAME APPLICANT	ATTORNEY DOCKET NUMBER
09/653130	08/31/2000	Al Gilbertson	166030-0007

Bruce A Kaser
Miller Nash LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101-2352

RECEIVED

JUN 24 2004

MILLER NASH LLP

Examiner: Metzmaier, Daniel S

Art Unit
28772

Paper Number
#

Date Mailed: June 21, 2004

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on **August 31, 2000** still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

W/S

RETURN CORRECTED DRAWINGS TO:
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450



Form PTO-948 (Rev. 06/03)

Application No. 09/653130U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office**NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW**The drawing(s) filed (insert date) 8/31/00 are:

- A. ☒ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____

☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

☐ One (1) full-tone set is required. Fig(s) _____

☐ Photographs may not be mounted. 37 CFR 1.84(e)

☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____

☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

☐ Paper not flexible, strong, white, and durable.

☐ Fig(s) _____

☒ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted.

☐ Fig(s) 1-12

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or:

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

☐ All drawing sheets not the same size.

☐ Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☒ Margins not acceptable. Fig(s) 9, 12

☒ Top (T) ☒ Left (L)

☐ Right (R) ☐ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly.

☐ Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

☐ Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-4, 7, 12

11. SHADING. 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) _____

☐ Solid black shading not permitted. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

☐ Numbers and reference characters not plain and legible. Fig(s) _____

☐ Figure legends are poor. Fig(s) _____

☒ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) 5-8

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS.

37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. DESIGN DRAWINGS. 37 CFR 1.152

☐ Surface shading shown not appropriate.

☐ Fig(s) _____

☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:Reviewer W/S

If you have questions, call (703) 305-8404.

Date 6/21/04

Attachment to Paper No. _____



B IFW
95

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Al Gilbertson
Assignee: EightStar Diamond Company, Inc.
Filing Date: 08/31/2000
Title: DEVICE FOR JUDGING SYMMETRY,
BRIGHTNESS, AND EFFICIENCY OF LIGHT
RETURN IN PRECIOUS STONES
Application Serial No.: 09/653,130

Attorney Docket No.: 530010-0009

CERTIFICATE OF MAILING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The following documents are today being deposited with the United States Postal Service "Express Mail Post Office to Addressee" (EV 309800911 US) service under 37 C.F.R. 1.10 in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Transmittal Form PTO/SB/21;
2. Statement of No New Matter;
3. Nine (9) pages of formal drawings;
4. Copy of Notice Regarding Drawings;
5. Certificate of Mailing; and
6. Itemized Return Receipt Postcard.

Signed at Seattle, Washington this 12th day of July, 2004

Respectfully submitted,

By: 

Devon W. Rynning
Reg. No. 48,579
Miller Nash LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101
Phone: (206) 622-8484
Fax: (206) 622-7485



TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/653,130	
	Filing Date	08/31/2000	
	First Named Inventor	Gilbertson, AI	
	Art Unit	28772	
	Examiner Name	Metzmaier, Daniel S.	
Total Number of Pages in This Submission	13	Attorney Docket Number	530010-0009

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement of No New Matter, Copy of Notice Regarding Drawings, Certificate of Mailing, Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Devon W. Ryning (48,579)
Signature	
Date	July 12, 2004

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

Applicant: Al Gilbertson

Group Art Unit: 28772

Assignee: EightStar Diamond Company, Inc.

Examiner: Metzmaier, Daniel S.

Serial No. : 09/653,130

Filed : 08/31/2000

Title : DEVICE FOR JUDGING SYMMETRY, BRIGHTNESS, AND EFFICIENCY OF LIGHT RETURN IN PRECIOUS STONES

STATEMENT OF NO NEW MATTER

Miller Nash LLP
4400 Two Union Square
601 Union Street
Seattle, Washington 98101
July 12, 2004

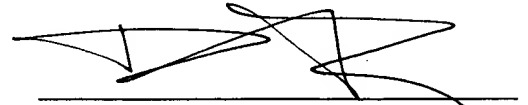
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the Notice Regarding Drawings mailed on June 21, 2004, applicant herewith submits formal drawings for FIGS. 1-13. Applicant respectfully submits that no new matter has been added in the formal drawings submitted herewith. The applicant therefore requests issuance of this application.

The person making this statement is the attorney who signs below on the basis of the information supplied by the inventor and the information in the file.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Devon W. Ryning', is written over a horizontal line.

Devon W. Ryning
Registration No. 48,579
Miller Nash LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101
Telephone: (206) 622-8484
Fax: (206) 622-7485